



Appeal Decision

Site visit made on 3 June 2024

by Katie McDonald MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 July 2024

Appeal Ref: APP/N4720/W/24/3338176

24 Main Street, Ledston, Castleford, Leeds WF10 2AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr P and Mrs K Robson against the decision of Leeds City Council.
 - The application Ref is 23/02751/FU.
 - The development proposed is the demolition of existing detached residential property and construction of new detached five bedroom dwelling and single storey garden pavilion.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing detached residential property and construction of new detached five bedroom dwelling and single storey garden pavilion at 24 Main Street, Ledston, Castleford, Leeds WF10 2AA in accordance with the terms of the application, Ref 23/02751/FU subject to the conditions in the attached schedule.

Main Issue

2. This is the effect of the proposal on the character and appearance of the area.

Reasons

3. Located on the eastern side of Main Street, the site contains a modest gable fronted 3 storey dwelling, set within a substantially sized plot. Surrounding the site is a small linear village, containing predominantly large dwellings within wide and elongated plots. Topography slopes upwards to the east with the existing dwellings on this side of the road positioned at a higher land level. The site, and neighbouring property 22 Main Street, contain garages at the lower ground floor level and living accommodation on the upper floors. Whilst not harmful to the street scene, the gable front and overall late 20th century design of the existing property is visibly different to other dwellings in the street.
4. The village has a pleasant and bucolic vernacular, with a mixture of dwelling types and ages generally set back from the road. Most houses have a similar materials palette of stone walls and slate roofs, with a traditional appearance. Many dwellings also have a low solid to void ratio, resultant of either their age or consistent design approach.
5. The proposal is for a replacement dwelling. It would be 3 storeys in height, with a garage and basement level at the lower ground floor. The orientation of the roof apex would run north south, consistent with surrounding properties. However, it would be marginally taller than its neighbouring counterparts,

- being around the same height as the existing dwelling on site. The footprint would also be increased, projecting to the south towards No 22. The existing footprint would be retained on the northern side elevation.
6. The height and width of the proposal would appear greater in scale and size than the existing dwelling. This is because the gable fronted design of the existing dwelling means that it occupies less space in the street scene than the proposal would. The result would be an increased prominence of roofing, with a shallower and more expansive span, and the ensuing width of the frontage. However, there are other large properties in the street and a variety of dwelling types, such that increased prominence does not necessarily lead to harm.
 7. The plots are large and lend themselves to large dwelling types. Indeed, the adjacent property has a 3 storey appearance, with the garage at the lower ground floor. It is of a sizeable width and height, and although this property would be marginally wider and taller, the plot size is commensurately larger.
 8. Satisfactory gaps to the side of the dwelling would be maintained, ensuring views of the countryside beyond, providing visual relief between dwellings. This would also ensure sufficient space around the dwelling, in keeping with the street scene. The 3 storey appearance would be moderated by the recessed garage door, steps and parapet wall. Thus, even though the lower ground floor would project slightly forward, it would maintain the appearance of a 2 storey dwelling from the front, akin to No 22. Additionally, the use of a double garage is entirely apt for a dwelling of this size and replicates the existing.
 9. The dwelling would be of a high quality design, using traditional materials and window detailing, and a similar solid to void ratio as other more traditional dwellings. That said, a gable fronted projection to the front elevation is proposed that would contain a greater amount of glazing than the other windows. Despite the Council's concerns, this element would be an appropriate, more contemporary design element, that successfully breaks up the mass of the front elevation and the deeper roof design.
 10. I accept that the height and width would be of a considerable scale. Yet, given the plot size, design and surrounding pattern of development, this would not unacceptably dominate the plot or appear adversely unsympathetic to the spatial character of the locality and rural vernacular.
 11. Therefore, the proposal would have an acceptable effect on the character and appearance of the area. This would be compliant with Policy P10 of the Leeds Core Strategy (CS) (as amended, September 2019) and Policies GP5 and BD5 of the Leeds Unitary Development Plan (Review, July 2006). Together, these seek good design that is appropriate to its context and respects the character and quality of surrounding buildings. There would also be compliance with the National Planning Policy Framework, which seeks to achieve well designed and beautiful places. Given the proposal is not within a Conservation Area, and there is no asserted harm to any designated assets, Policies P11 and P12 of the CS are not relevant.

Conditions

12. The plans are listed for certainty [condition 2]. Drainage details would be necessary to ensure suitable measures are put in place [condition 3]. Landscaping details are necessary to ensure the development assimilates well

[condition 4]. However, I have not required the landscaping works to be maintained for the lifetime of the development as this would be unreasonably restrictive considering the proposal is for a single dwelling. Biodiversity net gain would be necessary to ensure compliance with Policy G9 of the CS, and whilst little detail has been submitted with the appeal, the Council is confident that the size of the plot would be sufficient to ensure a net gain [condition 5].

13. Samples of materials would be necessary to ensure the external appearance is acceptable [condition 6]. The laying out of hardstanding prior to occupation is necessary to ensure there is suitable parking facilities to serve the dwelling [condition 7]. A condition requiring the gates to open inwards is necessary for the safety of all highway users [condition 8].
14. Several measures required in the construction practice statement would be dealt with by other legislation, for example, the Highways Act. Additionally, it would be unreasonable and unenforceable to require many of the other details for the construction of one dwelling. Thus, I have not imposed this condition.
15. An electric vehicle charging point is required by Building Regulations and it would be unnecessary to impose this condition. It would be unnecessary to require details of refuse storage for one dwelling, considering there would be ample space to satisfactorily store refuse. I have not imposed the unexpected contamination condition as this would be unnecessary given there is other legislation to deal with contamination. I have not imposed a condition about importing soils as this would be unreasonable for the scale of the proposal and the works proposed.

Conclusion

16. For the reasons set out above, the appeal is allowed.

Katie McDonald

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: PR01.03.020 A, PR01.02.201 A, PPR01.02.210, PR01.03.101 A, PPR01.02.210, PR01.03.021 A, PR01.03.205 and PR01.03.210 A.
- 3) Prior to commencement of construction works for the development hereby approved, a drainage scheme (drainage drawings, summary calculations and investigations) detailing the foul and surface water drainage works, as well as arrangements for its future maintenance, shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved scheme before the development is brought into use.
- 4) No development above slab level shall commence until details of both hard and soft landscaping works, including an implementation programme, have been submitted to and approved in writing by the local planning authority. Hard landscape details shall include:
 - a) proposed finished levels and contours.
 - b) boundary details, means of enclosure and retaining structures.
 - c) other vehicle and pedestrian access and circulation areas.
 - d) hard surfacing areas.Soft landscape details shall include:
 - e) planting plans (display existing trees with Root Protection Areas and all other retained vegetation).
 - f) written specifications (including soil depths, cultivation and other operations associated with plant and grass establishment).
 - g) schedules of plants noting species, planting sizes, root packaging and proposed numbers/densities.The landscaping works shall be carried out in accordance with the approved details.
- 5) No development above slab level shall commence until a Biodiversity Net Gain Management Plan including management responsibilities, maintenance schedules and time scales has been submitted to and approved in writing by the local planning authority. The development shall be implemented and maintained in accordance with the approved details to ensure a net gain in biodiversity on site.
- 6) No development above slab level shall commence until samples of all external walling and roofing materials have been submitted to and approved in writing by the local planning authority. Such materials shall be made available on site prior to the commencement of their use, for the inspection of the local planning authority who shall be notified in writing of their availability. The development shall be constructed in accordance with the approved details.
- 7) The development shall not be occupied until all areas shown on the approved plans to be used by vehicles have been fully laid out, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas shall not be used for any other purpose thereafter.
- 8) The gates shown on the approved site plan, Dwg. No.PR01.03.020 A, shall only open inwards.

*****END OF CONDITIONS*****